

TENTH DAY.

(Thursday, September 24, 1931.)

The House met at 9 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Minor.

The roll was called and the following members were present:

Mr. Speaker.	Hoskins.
Adams of Harris.	Howsley.
Adams of Jasper.	Hubbard.
Adkins.	Hughes.
Akin.	Jackson.
Alsup.	Johnson
Anderson.	of Dallam.
Baker.	Johnson
Barron.	of Dimmit.
Beck.	Johnson of Morris.
Bounds.	Jones of Shelby.
Boyd.	Jones of Atascosa.
Brice.	Justiss.
Brooks.	Keller.
Bryant.	Kennedy.
Burns of Walker.	Laird.
Burns	Lee.
of McCulloch.	Lemens.
Carpenter.	Leonard.
Coltrin.	Lilley.
Coombes.	Lockhart.
Cox of Lamar.	Long.
Cox of Limestone.	McCombs.
Cunningham.	McDougald.
Dale.	McGill.
Davis.	McGregor.
DeWolfe.	Magee.
Dodd.	Mathis.
Donnell.	Metcalfe.
Dowell.	Moffett.
Dunlap.	Moore.
Duvall.	Morse.
Dwyer.	Munson.
Elliott.	Murphy.
Farmer.	Nicholson.
Farrar.	Olsen.
Finn.	O'Quinn.
Forbes.	Petsch.
Ford.	Pope.
Fuchs.	Ramsey.
Gilbert.	Ratliff.
Giles.	Ray.
Goodman.	Reader.
Graves.	Richardson.
Greathouse.	Rountree.
Grogan.	Sanders.
Hanson.	Satterwhite.
Hardy.	Savage.
Harman.	Shelton.
Harrison	Sherrill.
of Waller.	Smith of Bastrop.
Hatchitt.	Smith of Wood.
Hefley.	Sparkman.
Hill.	Stephens.
Hines.	Stevenson.
Holland.	Steward.
Holloway.	Strong.

Sullivan.	Walker.
Tarwater.	Warwick.
Terrell	Weinert.
of Cherokee.	West of Coryell.
Terrell	West of Cameron.
of Val Verde.	Westbrook.
Towery.	Wiggs.
Vaughan.	Wyatt.
Veatch.	Young.
Wagstaff.	

Absent.

Holder.	Mehl.
Lasseter.	Rogers.
Martin.	

Absent—Excused.

Adamson.	Fisher.
Albritton.	Harrison
Bedford.	of El Paso.
Bond.	Herzik.
Bradley.	Kayton.
Caven.	Patterson.
Claunch.	Scott.
Daniel.	Turner.
Engelhard.	Van Zandt.
Ferguson.	

A quorum was announced present.

Prayer was offered by the Rev. John W. Holt, Chaplain.

LEAVES OF ABSENCE
GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Herzik for today, on motion of Mr. Akin.

Mr. Claunch for last Wednesday, today, and the balance of the week, on motion of Mr. Grogan.

Mr. Caven for today, on motion of Mrs. Rountree.

Mr. Bedford for today and the balance of the week, on motion of Mrs. Moore.

Mr. Ferguson for today, on motion of Mr. Coombes.

Mr. Bond for today, on motion of Mr. Metcalfe.

Mr. Scott for today, on motion of Mr. West of Coryell.

Mr. Van Zandt for today and the balance of the week, on motion of Mr. Sullivan.

Mr. Adamson for today, tomorrow, and Saturday on account of a death in his family, on motion of Mr. Sullivan.

Mr. Albritton for today and indefinitely on account of illness, on motion of Mr. Minor.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Boyd:

H. B. No. 77, A bill to be entitled "An Act providing for the raising and selling of game birds and game animals in captivity; providing for the issuance of game breeder's license; providing for revoking of licenses for violation of game laws; making it unlawful to stock game farms with native wild game; providing for sale of game raised on game farms; providing for monthly reports on game raised on game farms; prescribing penalties for violation of this act; providing for the disposition of fees and penalties collected; and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Barron and Mr. Weinert:

H. B. No. 78, A bill to be entitled "An Act to amend Section 14, Article 7047, of the Revised Civil Statutes of 1925, relating to and imposing an occupation tax on loan brokers and defining same and providing for certain exceptions and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Barron and Mr. Weinert:

H. B. No. 79, A bill to be entitled "An Act to amend Section 39, Chapter 212, page 355, Acts, 1931, Forty-second Legislature, Regular Session."

Referred to Committee on Revenue and Taxation.

By Mr. Barron, Mr. Weinert, Mr. Johnson of Dimmit, Mr. Jones of Atascosa, and others:

H. B. No. 80, A bill to be entitled "An Act for the purpose of releasing the interest and penalties on all State, county, special school, school district, road district, levee improvement district, and irrigation district taxes and taxes of other defined subdivisions of the State, other than incorporated

cities and towns, delinquent up to and including October 20, 1931, providing said taxes are paid by January 1, 1932; declaring a State policy and the existence of a public calamity; repealing all laws in conflict herewith and declaring an emergency."

Referred to Committee on Revenue and Taxation.

Mr. Mr. Graves and Mr. DeWolfe:

H. B. No. 81, A bill to be entitled "An Act amending Chapter 286, General Laws Forty-second Legislature, at page 678, printed laws thereof, by striking therefrom restrictions on State Auditor's use of appropriations made for oil and gas royalty audit, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Hoskins, Mr. Coltrin, Mr. Bond, Mr. Rogers, and others:

H. B. No. 82, A bill to be entitled "An Act to provide for the Texas Prison Board bidding for contracts to supply the State with printing, binding and supplies of like character with the Board of Control without a bond, and entering into such contracts with the Board of Control without executing a bond, and declaring an emergency."

Referred to Committee on Public Printing.

By Mr. Satterwhite:

H. B. No. 83, A bill to be entitled "An Act providing relief for the Valentine Independent School District, in order to aid said district in repairing and rehabilitating its school building which was seriously damaged and rendered untenable and unsafe for use for school purposes by the earthquake of Sunday, August 16, 1931, making an appropriation for that purpose, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Anderson:

H. B. No. 84, A bill to be entitled "An Act to amend Article 619, Penal Code of 1925, relating to keeping a gaming table or bank so as to omit reference therein to slot machines, and making it a misdemeanor to keep or exhibit any slot or vending machine for the purpose of gaming, and de-

fining the same; prescribing penalties for a violation thereof; declaring the existence of any slot or vending machine to be against public policy and a public nuisance; declaring the existence of any lottery or raffle to be against public policy and a public nuisance; providing for the seizure and destruction as a nuisance of any slot or vending machine, or any lottery or raffle; and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Savage:

H. B. No. 85, A bill to be entitled "An Act regulating fees of office for each county officer, precinct officer, and district clerk, and district attorney receiving fees of office for their services in every county in the State of Texas; providing amounts to be retained by said officers and the amounts to be paid to any county treasurer; providing the maximum amount that any officer may receive; providing for the payment of premium on officers' bond, necessary expenses of deputies and assistants as allowed and approved by the county commissioners court, etc., and declaring an emergency."

Referred to Committee on State Affairs.

By Mrs. Hughes, Mr. McCombs, Mr. Baker, and Mr. Keller:

H. B. No. 86, A bill to be entitled "An Act to amend Article 773, Revised Penal Code, 1925, of the State of Texas, so as to make the provisions of said bill apply to optometrist, and to re-enact Article 774 of the Revised Penal Code of 1925 of the State of Texas; and declaring an emergency."

Referred to Committee on Public Health.

By Mr. Adams of Jasper:

H. B. No. 87, A bill to be entitled "An Act amending Article 15 of the Revised Civil Statutes of 1925."

Referred to Committee on Judiciary.

BILLS ORDERED NOT PRINTED.

On motion of Mr. Brice, Senate bill No. 26 was ordered not printed.

On motion of Mr. Sanders, House bills Nos. 74 and 76 were ordered not printed.

HOUSE BILL NO. 47 WITH SENATE AMENDMENTS.

Mr. Leonard called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 47, A bill to be entitled "An Act ratifying and validating Edcouch-Elsa Independent School District, ratifying and validating the proceedings of the board of county school trustees of Hidalgo county in annexing territory thereto, ratifying and validating the proceedings of the board of school trustees of Hidalgo county in detaching territory therefrom, ratifying and validating the petitions of voters residing in territory annexed and detached, and actions thereon by the board of trustees of Edcouch-Elsa Independent School District, by the board of trustees of Common School District No. 2, Hidalgo county, and also by the board of county school trustees of Hidalgo county annexing territory, being a portion of Common School District No. 2, Hidalgo county, and detaching territory from Edcouch-Elsa Independent School District, defining and describing Edcouch-Elsa Independent School District after such annexation and detachment, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Leonard, the House concurred in the Senate amendments by the following vote:

Yeas—101.

Mr. Speaker.	Coombes.
Adams of Harris.	Cox of Lamar.
Adams of Jasper.	Cox of Limestone.
Adkins.	Dale.
Akin.	Davis.
Alsup.	DeWolfe.
Anderson.	Dodd.
Baker.	Donnell.
Barron.	Dowell.
Beck.	Dwyer.
Bounds.	Elliott.
Boyd.	Farmer.
Brice.	Farrar.
Brooks.	Forbes.
Bryant.	Ford.
Burns of Walker.	Fuchs.
Burns	Gilbert.
of McCulloch.	Goodman.
Carpenter.	Greathouse.
Coltrin.	Grogan.

Hanson.	Murphy.
Hardy.	Olsen.
Harman.	O'Quinn.
Harrison	Pope.
of Waller.	Ramsey.
Hatchitt.	Ratliff.
Hill.	Ray.
Hines.	Reader.
Holland.	Richardson.
Holloway.	Rountree.
Hoskins.	Sanders.
Howsley.	Satterwhite.
Hughes.	Savage.
Johnson	Shelton.
of Dallam.	Sparkman.
Johnson of Morris.	Stephens.
Jones of Atascosa.	Stevenson.
Justiss.	Steward.
Keller.	Strong.
Kennedy.	Sullivant.
Lee.	Tarwater.
Leonard.	Terrell
Lilley.	of Cherokee.
Lockhart.	Towery.
Long.	Vaughan.
McDougald.	Wagstaff.
McGill.	Walker.
Magee.	Warwick.
Mathis.	West of Coryell.
Metcalfe.	West of Cameron.
Moffett.	Westbrook.
Moore.	Wiggs.
Morse.	Young.

Absent.

Cunningham.	McGregor.
Dunlap.	Martin.
Finn.	Mehl.
Giles.	Munson.
Graves.	Nicholson.
Hefley.	Petsch.
Holder.	Rogers.
Hubbard.	Sherrill.
Jackson.	Smith of Bastrop.
Johnson	Smith of Wood.
of Dimmit.	Terrell
Jones of Shelby.	of Val Verde.
Laird.	Veatch.
Lasseter.	Weinert.
Lemens.	Wyatt.
McCombs.	

Absent—Excused.

Adamson.	Ferguson.
Albritton.	Fisher.
Bedford.	Harrison
Bond.	of El Paso.
Bradley.	Herzik.
Caven.	Kayton.
Claunch.	Patterson.
Daniel.	Scott.
Duvall.	Turner.
Engelhard.	Van Zandt.

HOUSE BILL NO. 33 WITH
SENATE AMENDMENTS.

Mr. West of Cameron called up from the Speaker's table, with Senate amendments, for consideration of the amendments.

H. B. No. 33, A bill to be entitled "An Act waiving the right of the State of Texas to enter upon, for the purpose of development of mines, minerals and mineral rights, including oil and gas thereunder, all lands heretofore granted, or that may hereafter be granted, under Article 8225, of the Revised Statutes, to any navigation district, and by such district conveyed, or that may hereafter be conveyed, to the United States of America for navigation purposes, so long as such lands shall be used by the United States of America, or such navigation district, for navigation purposes, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. West of Cameron, the House concurred in the Senate amendments by the following vote:

Yeas—101.

Mr. Speaker.	Farrar.
Adams of Harris.	Forbes.
Adams of Jasper.	Ford.
Adkins.	Fuchs.
Akin.	Gilbert.
Alsup.	Goodman.
Anderson.	Graves.
Baker.	Greathouse.
Beck.	Grogan.
Bounds.	Hanson.
Boyd.	Hardy.
Brice.	Harman.
Brooks.	Harrison
Bryant.	of Waller.
Burns of Walker.	Hatchitt.
Burns	Hill.
of McCulloch.	Hines.
Carpenter.	Holland.
Coltrin.	Holloway.
Coombes.	Hoskins.
Cox of Lamar.	Hughes.
Cox of Limestone.	Jackson.
Cunningham.	Johnson
Davis.	of Dallam.
DeWolfe.	Johnson of Morris.
Dodd.	Jones of Atascosa.
Dowell.	Justiss.
Dwyer.	Keller.
Elliott.	Kennedy.
Farmer.	Lee.

Leonard.	Savage.
Lilley.	Shelton.
Lockhart.	Smith of Wood.
Long.	Sparkman.
McDougald.	Stephens.
McGill.	Stevenson.
Magee.	Steward.
Mathis.	Strong.
Metcalfe.	Sullivant.
Moffett.	Tarwater.
Moore.	Terrell
Morse.	of Cherokee.
Murphy.	Towery.
Olsen.	Veatch.
O'Quinn.	Wagstaff.
Pope.	Walker.
Ramsey.	Warwick.
Ratliff.	West of Coryell.
Ray.	West of Cameron.
Reader.	Westbrook.
Richardson.	Wiggs.
Rountree.	Young.
Sanders.	

Present—Not Voting.

Vaughan.

Absent.

Barron.	McCombs.
Dale.	McGregor.
Donnell.	Martin.
Dunlap.	Mehl.
Finn.	Munson.
Giles.	Nicholson.
Hefley.	Petsch.
Holder.	Rogers.
Howsley.	Satterwhite.
Hubbard.	Sherrill.
Johnson	Smith of Bastrop.
of Dimmit.	Terrell
Jones of Shelby.	of Val Verde.
Laird.	Weinert.
Lasseter.	Wyatt.
Lemens.	

Absent—Excused.

Adamson.	Ferguson.
Albritton.	Fisher.
Bedford.	Harrison
Bond.	of El Paso.
Bradley.	Herzik.
Caven.	Kayton.
Claunch.	Patterson.
Daniel.	Scott.
Duvall.	Turner.
Engelhard.	Van Zandt.

**RELATIVE TO CERTAIN REMARKS
OVER THE RADIO.**

Mr. Olsen offered the following resolution:

Whereas, There has been and are now grave legislative matters confronting the Legislature of the State of Texas; and

Whereas, Such legislation affects each and every farm home in the South and the welfare of the business interests of the South and to a certain degree the welfare of the nation; and

Whereas, It has been the object of this legislative body to deliberate with the farmer, business man and all other citizens in working out a sane, sound and durable plan of reconstructing the cotton industry in Texas and in the South; and

Whereas, A certain prominent citizen of an adjoining State has used the radio to denounce the Texas Legislature and their efforts and said citizen has even gone so far as to accuse the Texas Legislature of accepting bribes, and has made numerous slanderous remarks in regard to the character and integrity of the Texas Legislature and the Governor of Texas; and

Whereas, By such slanderous remarks made over radio the said citizen has created a state of mind among some citizens in the State of Texas that is not to the best interest of sound citizenship; now, therefore be it

Resolved, That the State Legislature, herein assembled, petition the Federal Radio Commission at Washington, D. C., that for the best interests of true citizenship that they take steps to prevent radio stations throughout the United States from being used to defame the character or attack the integrity of any individual or group of individuals.

The resolution was read second time.

On motion of Mr. Keller, the resolution was tabled.

**MOTION TO CALL UP HOUSE
CONCURRENT RESOLUTION NO. 12.**

Mr. Pope moved to take up for consideration at this time House concurrent resolution No. 12, Providing for adjournment sine die, the resolution having heretofore been laid on the table subject to call.

The motion was lost by the following vote:

Yeas—39.

Adams of Harris.	Alsup.
Adkins.	Baker.

Beck.	McGill.
Boyd.	McGregor.
Brooks.	Munson.
Bryant.	Nicholson.
Burns of Walker.	O'Quinn.
Carpenter.	Petsch.
Coombes.	Pope.
Dale.	Reader.
Dwyer.	Rountree.
Goodman.	Sanders.
Hardy.	Smith of Wood.
Holland.	Steward.
Jones of Atascosa.	Tarwater.
Keller.	Terrell
Lockhart.	of Val Verde.
Long.	Wagstaff.
McCombs.	Walker.
McDougald.	Warwick.

Nays—66.

Adams of Jasper.	Hughes.
Akin.	Johnson
Barron.	of Dallam.
Bounds.	Johnson
Brice.	of Dimmit.
Coltrin.	Johnson of Morris.
Cox of Lamar.	Jones of Shelby.
Cox of Limestone.	Justiss.
Cunningham.	Laird.
DeWolfe.	Leonard.
Dodd.	Magee.
Donnell.	Mathis.
Dowell.	Metcalf.
Elliott.	Moffett.
Farmer.	Olsen.
Farrar.	Ramsey.
Finn.	Ratliff.
Forbes.	Ray.
Fuchs.	Richardson.
Gilbert.	Savage.
Giles.	Shelton.
Graves.	Sherrill.
Greathouse.	Sparkman.
Grogan.	Stephens.
Hanson.	Sullivant.
Harman.	Terrell
Harrison	of Cherokee.
of Waller.	Towery.
Hatchitt.	Vaughan.
Hefley.	Veatch.
Hill.	Weinert.
Hines.	West of Coryell.
Hoskins.	Wiggs.
Howsley.	Wyatt.
Hubbard.	Young.

Absent.

Anderson.	Jackson.
Burns	Kennedy.
of McCulloch.	Lasseter.
Davis.	Lee.
Dunlap.	Lemens.
Ford.	Lilley.
Holder.	Martin.
Holloway.	Mehl.

Moore.	Smith of Bastrop.
Morse.	Stevenson.
Murphy.	Strong.
Rogers.	West of Cameron.
Satterwhite.	Westbrook.

Absent—Excused.

Adamson.	Ferguson.
Albritton.	Fisher.
Bedford.	Harrison
Bond.	of El Paso.
Bradley.	Herzik.
Caven.	Kayton.
Claunch.	Patterson.
Daniel.	Scott.
Duvall.	Turner.
Engelhard.	Van Zandt.

RELATIVE TO CERTAIN MAP OF BRAZORIA COUNTY.

Mr. Carpenter moved to take up, for consideration at this time, the following resolution:

H. C. R. No. 18, Relative to a certain map of Brazoria county.

Whereas, There is now no map of Brazoria county showing the location of surveys in said county prior to 1863 except fragments of the original map which can not now be put in place so as to make same show the location of such surveys; and

Whereas, There is now in the custody of the Commissioner of the General Land Office an old map of said Brazoria county endorsed: "Map of Brazoria county. Drawn from the original, October, 1860, by R. R. Jones, assistant draftsman in the G. L. O." Photographed by Prof. C. C. Stremme, of the photographic bureau of the General Land Office, which endorsements and the data appearing on said map and the other evidences appearing thereon establish its identity and genuineness, and the same is important in locating the surveys of land in Brazoria county; now, therefore, be it

Resolved by the Legislature of the State of Texas, the Senate and House of Representatives concurring, The Commissioner of the General Land Office be and he is hereby authorized and directed to accept and file the said map in the General Land Office, noting thereon his certificate of identification, after which the said map and copies thereof shall be archives of said office, and the same or certified copies thereof shall be admissible in evidence to the same extent

as are other archives, papers, documents, and records of said office and certified copies thereof.

McGREGOR,
CARPENTER.

The resolution was read second time.

Mr. Long moved that the resolution be referred to the Committee on Public Lands and Buildings.

Mr. Carpenter moved to table the motion, and the motion to table was lost.

Question then recurring on the motion to refer the resolution to the Committee on Public Lands and Buildings, it prevailed.

MOTION TO SUSPEND CERTAIN HOUSE RULE.

Mr. Moffett moved that the House rule which limits the time for consideration of resolutions be suspended at this time.

The motion was lost.

RELATIVE TO THE ACCEPTANCE OF THE McFARLIN FARM.

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 11, Relative to the McFarlin farm which has been donated to the State.

Whereas, The McFarlin interests have offered to donate to the State of Texas, the McFarlin farm located near Rosser in Kaufman county, consisting of four thousand seven hundred and sixty-eight (4768) acres for any purpose and use to which the State might wish to put it at some future time; and

Whereas, The said McFarlin farm has cost in improvements nearly one million dollars (\$1,000,000), and

Whereas, The said McFarlin farm has been noted as the most famous and best equipped hog farm in the entire Southwest. Now, therefore be it

Resolved, That the Lieutenant Governor of the State of Texas, be authorized to appoint a committee of three and the Speaker of the House a committee of four members of the House to confer with the President of the A. and M. College and the

Board of Control, to determine whether or not this farm could be taken over by the State of Texas for any purpose for which the State might use same, and whether or not the amount of indebtedness against the land and the levy indebtedness thereon would be greater than its value to the State, or whatever purpose it might be used.

GREER,
GAINER.

The resolution was read second time.

(Pending consideration of the resolution, Mr. Duvall occupied the chair temporarily.)

(Speaker in the chair.)

Mr. Terrell of Cherokee moved that further consideration of the resolution be postponed indefinitely.

Question recurring on the motion to postpone the resolution indefinitely, it was lost.

Mr. DeWolfe moved the previous question on the resolution, and the main question was ordered.

Question recurring on the resolution, it was lost.

MESSAGE FROM THE GOVERNOR.

Mr. Pat Dougherty, secretary to the Governor, appeared at the bar of the House, and being duly announced, presented the following message from the Governor, which was read to the House, as follows:

Executive Office,

September 24, 1931.

To the Members of the Forty-second Legislature:

Herewith I hand you a proposed measure which provides that all interest and penalties accrued on all State, county, special school, school district, road district, levee improvement district, and irrigation district taxes and taxes of other defined subdivisions of the State, other than incorporated cities and towns, which are delinquent up to and including October 20, 1931, shall be released, provided said taxes are paid by January 1, 1932.

In my judgment, this will give relief to the citizens of Texas in the payment of their past due taxes and

I urge that you give this measure your prompt and careful consideration.

Respectfully submitted,
R. S. STERLING,
Governor.

By Mr. Barron, Mr. Weinert, Mr. Johnson of Dimmit, Mr. Jones of Atascosa, and others:

H. B. No. 80.

A BILL

To Be Entitled

"An Act for the purpose of releasing the interest and penalties on all State, county, special school, school district, road district, levee improvement district, and irrigation district taxes and taxes of other defined subdivisions of the State, other than incorporated cities and towns, delinquent up to and including October 20, 1931, providing said taxes are paid by January 1, 1932; declaring a State policy and the existence of a public calamity; repealing all laws in conflict herewith, and declaring an emergency."

Declaration of Policy.

Whereas, The persistent application of our pernicious ad valorem system of State taxation, which is recognized as the most unjust, confiscatory, and discriminatory system of taxation ever conceived, especially in its administration as applied to tangible property, while intangible personal property and intangible assets escape assessment regardless of their earning capacity; and

Whereas, This system of taxation together with its unjust penalties have been responsible for the confiscation of many thousands of our homes and farms, leaving homeless many of our best citizens; and

Whereas, Millions of dollars are now and have been due in taxes to the State and its subdivisions for many years past by people who would be most willing to pay and meet their obligations to the State government if the unreasonable costs and penalties were omitted; and

Whereas, The State and its subdivisions are in immediate need of money to meet the largest deficit we have ever faced heretofore; and

Whereas, The world-wide economic crisis has brought about calamitous

condition, especially affecting agriculture, which renders it impossible for vast numbers of the people of Texas to pay their taxes if forced in addition to pay the penalties and interest hereinabove specified; and

Whereas, Such condition constitutes a calamity as the same is defined in the Constitution; and

Whereas, It is hereby declared to be the legislative intent that such condition does constitute a public calamity; and

Whereas, Such calamity as aforesaid may become so serious as to wreck our whole economic and financial existence as a State government, it being now apparent that more than 50 per cent of the total amount of State ad valorem taxes will probably not be paid this year; therefore,

Be it enacted by the Legislature of the State of Texas:

Section 1. That all interest and penalties accrued and as now fixed by law, on all State, county, special school, school district, road district, levee improvement district, and irrigation district taxes, and taxes of other defined subdivisions of the State, other than incorporated cities and towns, delinquent up to and including October 20, 1931, shall be, and the same are hereby, released, provided said taxes are paid by January 1, 1932, except the legal rate of interest, which shall apply to said taxes due the State and its subdivisions, only for the period from October 20, 1931, to January 1, 1932.

Sec. 2. All laws and parts of laws in conflict herewith are hereby expressly repealed.

Sec. 3. The fact that millions of dollars in taxes are now and have been due to the State and its subdivisions for many years past by people who would be most willing to pay and meet their obligations to the State government if the unreasonable costs and penalties and interest were omitted, and the further fact of the existence of the public calamity above specified, creates an emergency and an imperative public necessity demanding that the constitutional rule which requires all bills to be read on three several days in each house be suspended, and the said rule is hereby suspended, and this act shall be in force and take effect from and after its passage, and it is so enacted.

BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

H. B. No. 12, "An Act to prohibit the sale or offering for sale or the buying of any bass, crappie, perch, or channel or opalouis cat, or any other fish taken from the waters of Lake Waco or the Bosque Rivers and their tributaries in the counties of McLennan, Bosque, and Hamilton; to prohibit the use of any drag seine or nets and to limit the size and number to be caught, and to prohibit the use of a troll from a motor boat or boat propelled by other than ordinary oars, and to prohibit the catching of bass, crappie, perch, channel or opalouis catfish during the months of February, March, and April of each year, and declaring an emergency."

H. B. No. 58, "An Act to amend Article 955, of the Revised Criminal Statutes of Texas of 1925, as amended by House bill No. 406, Chapter 257, General and Special Laws of the Regular Session of the Forty-first Legislature; and further amended by House bill No. 179, Chapter 304, of the Regular Session of the Forty-second Legislature, prohibiting the sale of fish taken from fresh water streams of certain named counties and also providing means and methods of taking and possessing fish from fresh waters of said counties by omitting Anderson county, and declaring an emergency."

H. B. No. 33, "An Act waiving the right of the State of Texas to enter upon, for the purpose of development of mines, minerals and mineral rights, including oil and gas thereunder, all lands heretofore granted, or that may hereafter be granted, under Article 8225, of the Revised Statutes, to any navigation district, and by such district conveyed, or that may hereafter be conveyed, to the United States of America for navigation purposes, so long as such lands shall be used by the United States of America, or such navigation district, for navigation purposes, and declaring an emergency."

H. B. No. 47, "An Act ratifying and validating Edcouch-Elsa Independent School District, ratifying and

validating the proceedings of the board of county school trustees of Hidalgo county in annexing territory thereto, ratifying and validating the proceedings of the board of school trustees of Hidalgo county in detaching territory therefrom, ratifying and validating the petitions of voters residing in territory annexed and detached, and actions thereon by the board of trustees of Edcouch-Elsa Independent School District, by the board of trustees of Common School District No. 2, Hidalgo county, and also by the board of county school trustees of Hidalgo county annexing territory, being a portion of Common School District No. 2, Hidalgo county, and detaching territory from Edcouch-Elsa Independent School District, defining and describing Edcouch-Elsa Independent School District after such annexation and detachment, and declaring an emergency."

H. B. No. 49, "An Act to amend Article 3887 of the Revised Civil Statutes of 1925, as amended by the Acts of the Forty-first Legislature, Regular Session, Chapter 112, page 256, as further amended by the Acts of the Forty-second Legislature, Regular Session, Chapter 123, page 235 of the Special Laws of said Forty-second Legislature; providing that said article as so amended shall also apply to any county having a population of seventy-five thousand (75,000) inhabitants or more, according to the last preceding Federal census and each succeeding Federal census thereafter, which have voted road and bridge bonds amounting to six million dollars (\$6,000,000) or more, and flood protection bonds amounting to one million dollars (\$1,000,000) or more, where there is no district attorney and having two or more district courts, and in which the county attorney acts as district attorney, and declaring an emergency."

SENATE BILL NO. 15 ON PASSAGE TO THIRD READING.

The Speaker laid before the House, as postponed business, on its passage to third reading,

S. B. No. 15, A bill to be entitled "An Act to amend Senate bill No. 114, Chapter 68, of the laws of the State of Texas, as passed by the Forty-second Legislature at its Regular Session in 1931, which act de-

finer and regulates public cotton classers, by a more complete definition of a public cotton classer, repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

The bill having heretofore been read second time.

(Mr. Satterwhite in the chair.)

Senate bill No. 15 was then passed to third reading.

SENATE BILL NO. 15 ON THIRD READING.

Mr. Graves moved that the constitutional rule requiring bills to be read on three several days, be suspended and that Senate bill No. 15 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—105.

Mr. Speaker.	Harman.
Adams of Harris.	Harrison
Adams of Jasper.	of Waller.
Adkins.	Hatchitt.
Alsop.	Hefley.
Anderson.	Hines.
Baker.	Holloway.
Barron.	Hoskins.
Bounds.	Howsley.
Boyd.	Hubbard.
Brice.	Hughes.
Bryant.	Jackson.
Burns of Walker.	Johnson
Burns	of Dallam.
of McCulloch.	Johnson
Carpenter.	of Dimmit.
Coltrin.	Johnson of Morris.
Coombes.	Jones of Shelby.
Cox of Lamar.	Jones of Atascosa.
Cox of Limestone.	Justiss.
Dale.	Keller.
Davis.	Kennedy.
DeWolfe.	Laird.
Dodd.	Lee.
Donnell.	Lemens.
Dowell.	Leonard.
Dwyer.	Lilley.
Elliott.	McDougald.
Farrar.	McGill.
Finn.	McGregor.
Forbes.	Magee.
Ford.	Metcalf.
Fuchs.	Moore.
Gilbert.	Munson.
Giles.	Nicholson.
Goodman.	Olsen.
Graves.	O'Quinn.
Greathouse.	Petsch.
Hanson.	Pope.
Hardy.	Ramsey.

Ratliff.	Steward.
Ray.	Strong.
Reader.	Tarwater.
Richardson.	Towery.
Rogers.	Vaughan.
Rountree.	Veatch.
Satterwhite.	Wagstaff.
Savage.	Walker.
Shelton.	Warwick.
Sherrill.	Weinert.
Smith of Bastrop.	West of Coryell.
Smith of Wood.	West of Cameron.
Sparkman.	Westbrook.
Stephens.	Wyatt.
Stevenson.	Young.

Nays—6.

Beck.	Morse.
Farmer.	Terrell
Lockhart.	of Cherokee.
McCombs.	

Present—Not Voting.

Akin.

Absent.

Brooks.	Mathis.
Cunningham.	Mehl.
Dunlap.	Moffett.
Grogan.	Murphy.
Hill.	Sanders.
Holder.	Sullivant.
Holland.	Terrell
Lasseter.	of Val Verde.
Long.	Wiggs.
Martin.	

Absent—Excused.

Adamson.	Ferguson.
Albritton.	Fisher.
Bedford.	Harrison
Bond.	of El Paso.
Bradley.	Herzik.
Caven.	Kayton.
Claunch.	Patterson.
Daniel.	Scott.
Duvall.	Turner.
Engelhard.	Van Zandt.

The Speaker then laid Senate bill No. 15 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—104.

Adams of Harris.	Brice.
Adams of Jasper.	Bryant.
Adkins.	Burns of Walker.
Alsop.	Burns
Anderson.	of McCulloch.
Baker.	Coltrin.
Barron.	Coombes.
Bounds.	Cox of Lamar.
Boyd.	Cox of Limestone.

Dale.	Leonard.
Davis.	McDougald.
DeWolfe.	McGill.
Dodd.	McGregor.
Donnell.	Magee.
Dowell.	Metcalfe.
Dwyer.	Moffett.
Elliott.	Moore.
Finn.	Munson.
Forbes.	Murphy.
Ford.	Nicholson.
Fuchs.	Olsen.
Gilbert.	O'Quinn.
Giles.	Petsch.
Goodman.	Pope.
Graves.	Ramsey.
Greathouse.	Ratliff.
Hanson.	Ray.
Hardy.	Reader.
Harman.	Richardson.
Harrison	Rogers.
of Waller.	Rountree.
Hatchitt.	Satterwhite.
Hefley.	Savage.
Hill.	Shelton.
Hines.	Sherrill.
Holland.	Smith of Bastrop.
Holloway.	Smith of Wood.
Hoskins.	Sparkman.
Howsley.	Stephens.
Hubbard.	Stevenson.
Hughes.	Steward.
Jackson.	Strong.
Johnson	Sullivant.
of Dallam.	Tarwater.
Johnson	Towery.
of Dimmit.	Vaughan.
Johnson of Morris.	Veatch.
Jones of Shelby.	Wagstaff.
Jones of Atascosa.	Walker.
Justiss.	Warwick.
Keller.	Weinert.
Kennedy.	West of Coryell.
Laird.	Wyatt.
Lee.	Young.
Lemens.	

Nays—6.

Beck.	Morse.
Farmer.	Terrell
Lockhart.	of Cherokee.
McCombs.	

Present—Not Voting.

Akin.	Farrar.
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Absent.

Brooks.	Martin.
Carpenter.	Mathis.
Cunningham.	Mehl.
Dunlap.	Sanders.
Grogan.	Terrell
Holder.	of Val Verde.
Lasseter.	West of Cameron.
Lilley.	Westbrook.
Long.	Wiggs.

Absent—Excused.

Adamson.	Ferguson.
Albritton.	Fisher.
Bedford.	Harrison
Bond.	of El Paso.
Bradley.	Herzik.
Caven.	Kayton.
Claunch.	Patterson.
Daniel.	Scott.
Duvall.	Turner.
Engelhard.	Van Zandt.

Reason for Vote.

I vote "no" on Senate bill No. 15, the cotton classers bill, because it does not recognize State cotton classers and places all cotton classing in the hands of a few Federal cotton classers. The bill was not printed so that we might study it, and few members know the full purport of the bill.

TERRELL of Cherokee.

Mr. Young moved a call of the House for the purpose of maintaining a quorum until 12 o'clock m., today, and the call was duly ordered.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Barron, the Sergeant-at-Arms was instructed to bring in all absent members within the city who are not ill.

MESSAGES FROM THE GOVERNOR.

Mr. Pat Dougherty, secretary to the Governor, appeared at the bar of the House, and being duly announced, presented the following messages from the Governor, which were read to the House, as follows:

Executive Office,

September 23, 1931.

To the Members of the Forty-second Legislature:

I herewith hand you two measures relating to State occupation tax. These measures are curative only and will clarify the existing occupation tax laws.

They are submitted to you with the hope that you will give them your earnest and prompt consideration.

Respectfully yours,

R. S. STERLING,

Governor.

H. B. No. 78 By Mr. Barron
and Mr. Weinert.

A BILL

To Be Entitled

"An Act to amend Section 14, Article 7047, of the Revised Civil Statutes of 1925, relating to and imposing an occupation tax on loan brokers and defining same and providing for certain exceptions, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

That Article 7047, Section 14, of the Revised Civil Statutes of Texas of 1925, be and the same is hereby amended, to read as follows:

"Section 1. Sec. 14. Loan Brokers.—From loan brokers as hereafter defined, an annual tax of one hundred dollars (\$100) for each place of business. A loan broker, for the purpose of this section, is a person, firm, or corporation who regularly pursues the business of lending money with or without security, and charges or receives therefor a fee, brokerage, or other charge of any kind whatsoever, provided, this tax shall not apply to persons, firms, associations, or corporations who lend money on or incident to real estate nor shall this tax apply to banks or banking institutions and life insurance companies regularly organized as such."

Sec. 2. The fact that the present law relative to loan brokers is ambiguous, creates an emergency and an imperative public necessity requiring the suspension of the constitutional rule that bills be read on three several days, and said rule is accordingly hereby suspended; and this act shall take effect and be in force from and after its passage.

H. B. No. 79. By Mr. Barron and
Mr. Weinert.

A BILL

To Be Entitled

"An Act to amend Section 39, Chapter 212, page 335, Acts, 1931, Forty-second Legislature, Regular Session."

Be it enacted by the Legislature of the State of Texas:

That Section 39, Chapter 212, page 355, Acts, 1931, Forty-second Legislature, Regular Session, be and the

same is, hereby amended so that said section shall read as follows:

"Cigarette Dealers.—From all dealers in cigarettes in this State, five dollars (\$5), a cigarette being the same as defined by the laws of the United States government. This tax shall be in addition to any other tax levied under the law. Each dealer shall be required to procure an annual license from the county tax collector of the county where he proposes to sell cigarettes, which shall be granted for no shorter or longer term than one year. The license shall describe the house and locality where the dealer proposes to sell cigarettes."

Executive Office,

Austin, Texas, September 24, 1931.

To the members of the Forty-second Legislature:

I hand you herewith a proposed measure which amends Chapter 286, General Laws of the Forty-second Legislature relating to an oil and gas royalty audit of the Permanent School Fund and other funds. This measure, if passed, will prevent great injury and loss to the State of Texas and to the Permanent School Fund, and I urge your prompt and careful consideration of the bill.

Respectfully submitted,

R. S. STERLING,
Governor.

H. B. No. 81. By Mr. Graves and
Mr. DeWolfe.

A BILL

To Be Entitled

"An Act amending Chapter 286, General Laws Forty-second Legislature, at page 678, printed laws thereof, by striking therefrom restrictions on State Auditor's use of appropriation made for oil and gas royalty audit, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. That Chapter 286, General Laws, Regular Session, Forty second Legislature, be amended by striking out that part of same restricting the State Auditor in manner of expenditure of the forty thousand dollars (\$40,000) appropriated therein for an oil and gas royalty audit of the Permanent School Fund

and other funds, the said restrictive clause appearing at page 678, printed General Laws of the Forty-second Legislature, and reading in words and figures as follows:

"The aforesaid appropriation of \$40,000 in each column shall be paid by the proper authority out of available funds accruing to the school fund, the University and other funds so audited, to the extent that such appropriated funds are so used in auditing each, to be certified by the Auditor."

Sec. 2. Said appropriation for said purposes is not repealed, and is amended only to the extent that the clause copied in full in Section 1 hereof is hereby stricken from said act.

Sec. 3. The fact that the Available School Fund is a constitutional fund and there is grave doubt as to the power of the Legislature to appropriate any part of said funds for said purposes, and said doubt and confusion has hampered said work and threatens to disrupt and entirely stop said work, to the great injury and loss of the State and the Permanent School Fund, creates an emergency and an imperative public necessity requiring the suspension of the constitutional rule requiring bills to be read upon three several days in each house, and said rule is hereby suspended, and that this act shall take effect and be in force from and after its passage, and it is so enacted.

BILL ORDERED NOT PRINTED.

On motion of Mr. Petsch, the House rule relating to printed bills was suspended, and the bill was ordered not printed.

SENATE BILL NO. 13 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 13, A bill to be entitled "An Act to amend Article 7332, Chapter 10, Title 122, of the Revised Civil Statutes of Texas of 1925, as amended by the Act of the Forty-first Legislature, passed at its Regular Session, and found in the published laws of said session, Chapter 143, pages 307-8, and as amended by the Acts of the Fourth Called Session of the Forty-first Legislature, as

the same appear in the published laws of said session, Chapter 20, page 37, and as amended by the Forty-second Legislature at its Regular Session as same appears in the published laws of said session, Chapter 258, page 428, and providing that the officers herein named shall not be entitled to the fees provided for herein in delinquent tax suits until actual notice is given to the delinquent owner as provided for in Article 7324; to repeal all laws in conflict herewith, and declaring an emergency."

The bill was read second time.

Mr. Jones of Atascosa moved that further consideration of Senate bill No. 13 be postponed until 2 o'clock p. m., today, and that the bill be printed in mimeograph form and laid on the desks of the members.

The motion prevailed.

SENATE BILL NO. 18 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 18, A bill to be entitled "An Act to authorize any county in this State having any claim for money against any person, partnership, corporation, joint stock or other association, to purchase the property of such debtor or debtors, at any sale under any proceedings in bankruptcy, receivership, or in any other judicial proceedings whatever, whenever the commissioners court of said county, for such price as the commissioners court may deem advisable and for the best interests of the county, and to have such property by said trustee in bankruptcy, receiver or other judicial officer, conveyed and transferred to the county; further authorizing the commissioners court of any such county to borrow money on the credit of the county, and to execute, or cause to be executed the obligations of the county therefor, for the purpose of making such purchases; and further authorizing such county to pledge, hypothecate or mortgage any property so purchased to secure the payment of all sums so borrowed; giving and granting to the commissioners court full power and authority to determine upon what terms, for what length of time, and at what rate of interest said sums shall be borrowed; further

authorizing said commissioners court to liquidate all assets so purchased for the use and benefit of the county in any manner that a private individual might liquidate such assets, to sell and convey all or any part of such property so acquired, either for cash or upon credit, for such length of time and at such rate of interest as it may deem advisable, and to sue upon any obligations so acquired or contracted to be paid to such county; further authorizing the commissioners court to pay the necessary cost and expense incurred in connection therewith from such property or the proceeds thereof; further providing that the net proceeds received by the county from such liquidation shall be paid into the respective funds of the county to which such claim originally belonged pro rata; repealing all laws in conflict herewith, and declaring an emergency."

The bill was read second time.

On motion of Mr. Sherrill, the bill was laid on the table subject to call.

SENATE BILL NO. 26 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 26, A bill to be entitled "An Act to provide for payment of the salary of the ex-officio superintendent of public instruction in all counties having not less than 8400 and not more than 8600 population, according to the last preceding Federal census, from the county available school fund; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 26 ON THIRD READING.

Mr. Brice moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 26 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—100.

Adams of Harris.	Akin.
Adams of Jasper.	Alsup.
Adkins.	Baker.

Beck.	Lee.
Bounds.	Lemens.
Boyd.	Leonard.
Brice.	Lilley.
Bryant.	Lockhart.
Burns of Walker.	McCombs.
Burns of McCulloch.	McDougald.
Coltrin.	McGill.
Coombes.	McGregor.
Cox of Lamar.	Magee.
Cox of Limestone.	Mathis.
Dale.	Metcalfe.
DeWolfe.	Moffett.
Dodd.	Moore.
Donnell.	Munson.
Dowell.	Murphy.
Dwyer.	Olsen.
Farmer.	Petsch.
Farrar.	Pope.
Finn.	Ramsey.
Forbes.	Ratliff.
Ford.	Ray.
Fuchs.	Richardson.
Gilbert.	Rogers.
Giles.	Satterwhite.
Goodman.	Savage.
Greathouse.	Shelton.
Grogan.	Smith of Bastrop.
Hanson.	Smith of Wood.
Hardy.	Sparkman.
Harman.	Stephens.
Hatchitt.	Stevenson.
Hefley.	Steward.
Hill.	Sullivant.
Hines.	Tarwater.
Holland.	Terrell
Hoskins.	of Val Verde.
Howsley.	Towery.
Hughes.	Vaughan.
Jackson.	Veatch.
Johnson of Dimmit.	Wagstaff.
Jones of Shelby.	Walker.
Jones of Atascosa.	Warwick.
Justiss.	Weinert.
Kennedy.	West of Coryell.
Laird.	West of Cameron.
Lasseter.	Westbrook.
	Wyatt.
	Young.

Nays—1.

Terrell of Cherokee.

Absent.

Anderson.	Holder.
Barron.	Holloway.
Brooks.	Hubbard.
Carpenter.	Johnson
Cunningham.	of Dallam.
Davis.	Johnson of Morris.
Dunlap.	Keller.
Elliott.	Long.
Graves.	Martin.
Harrison	Mehl.
of Waller.	Morse.

Nicholson.
O'Quinn.
Reader.
Rountree.

Sanders.
Sherrill.
Strong.
Wiggs.

Absent—Excused.

Adamson.
Albritton.
Bedford.
Bond.
Bradley.
Caven.
Claunch.
Daniel.
Duvall.
Engelhard.

Ferguson.
Fisher.
Harrison
of El Paso.
Herzik.
Kayton.
Patterson.
Scott.
Turner.
Van Zandt.

The Speaker then laid Senate bill No. 26 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—109.

Adams of Harris.	Hill.
Adams of Jasper.	Hines.
Adkins.	Holland.
Akin.	Holloway.
Alsup.	Hoskins.
Anderson.	Howsley.
Baker.	Hughes.
Barron.	Jackson.
Beck.	Johnson
Bounds.	of Dallam.
Boyd.	Johnson
Brice.	of Dimmit.
Bryant.	Jones of Shelby.
Burns of Walker.	Jones of Atascosa.
Burns	Justiss.
of McCulloch.	Keller.
Carpenter.	Kennedy.
Coltrin.	Laird.
Cox of Lamar.	Lee.
Cox of Limestone.	Lemens.
Dale.	Leonard.
DeWolfe.	Lilley.
Dodd.	Lockhart.
Donnell.	McCombs.
Dowell.	McDougald.
Elliott.	McGill.
Farrar.	McGregor.
Finn.	Magee.
Forbes.	Mathis.
Ford.	Metcalf.
Fuchs.	Moffett.
Gilbert.	Moore.
Giles.	Munson.
Goodman.	Murphy.
Greathouse.	Nicholson.
Grogan.	Olsen.
Hanson.	O'Quinn.
Hardy.	Petsch.
Harrison	Pope.
of Waller.	Ramsey.
Hatchitt.	Ratliff.
Hefley.	Ray.

Reader.
Richardson.
Rogers.
Rountree.
Satterwhite.
Savage.
Shelton.
Sherrill.
Smith of Bastrop.
Smith of Wood.
Sparkman.
Stephens.
Stevenson.
Steward.
Strong.

Sullivant.
Tarwater.
Terrell
of Val Verde.
Towery.
Vaughan.
Veatch.
Wagstaff.
Walker.
Warwick.
Weinert.
West of Coryell.
West of Cameron.
Wyatt.
Young.

Nays—2.

Farmer.

Terrell
of Cherokee.

Absent.

Brooks.
Coombes.
Cunningham.
Davis.
Dunlap.
Dwyer.
Graves.
Harman.
Holder.
Hubbard.

Johnson of Morris.
Lasseter.
Long.
Martin.
Mehl.
Morse.
Sanders.
Westbrook.
Wiggs.

Absent—Excused.

Adamson.
Albritton.
Bedford.
Bond.
Bradley.
Caven.
Claunch.
Daniel.
Duvall.
Engelhard.

Ferguson.
Fisher.
Harrison
of El Paso.
Herzik.
Kayton.
Patterson.
Scott.
Turner.
Van Zandt.

HOUSE BILL NO. 69 ON PASSAGE
TO ENGROSSMENT.

The Speaker laid before the House, as pending business, on its passage to engrossment,

H. B. No. 69, A bill to be entitled "An Act to amend Article 5139, of the Revised Civil Statutes of 1925, of Texas, providing for a juvenile board in all counties having a population of one hundred thousand or over according to the preceding Federal census and fixing the salaries of the members of said board, so as to provide that the commissioners court may fix the said salaries up to fifteen hundred dollars per annum."

The bill having heretofore been read second time with amendment by Mr. Veatch pending.

Mr. DeWolfe moved the previous question on the pending amendment and the bill, and the main question was ordered.

Question first recurring on the amendment, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—53.

Akin.	Jones of Atascosa.
Alsup.	Justiss.
Baker.	Laird.
Barron.	Lasseter.
Bounds.	Lee.
Bryant.	Lemens.
Burns of Walker.	McGregor.
Carpenter.	Magee.
Coltrin.	Munson.
Coombes.	Olsen.
Cox of Limestone.	Richardson.
Davis.	Rogers.
Dodd.	Smith of Bastrop.
Dowell.	Smith of Wood.
Elliott.	Sparkman.
Farrar.	Stephens.
Forbes.	Stevenson.
Fuchs.	Strong.
Gilbert.	Sullivant.
Giles.	Terrell
Goodman.	of Cherokee.
Grogan.	Towery.
Hanson.	Vaughan.
Hardy.	Veatch.
Harman.	Weinert.
Hefley.	Wyatt.
Hoskins.	Young.

Nays—65.

Adams of Harris.	Hubbard.
Adams of Jasper.	Hughes.
Adkins.	Jackson.
Anderson.	Johnson
Beck.	of Dimmit.
Boyd.	Johnson of Morris.
Cox of Lamar.	Jones of Shelby.
Dale.	Keller.
DeWolfe.	Kennedy.
Donnell.	Lilley.
Duvall.	Lockhart.
Dwyer.	Long.
Farmer.	McCombs.
Finn.	McDougald.
Ford.	McGill.
Graves.	Mathis.
Greathouse.	Metcalfe.
Harrison	Moffett.
of Waller.	Moore.
Hatchitt.	Morse.
Hill.	Murphy.
Hines.	Nicholson.
Holland.	O'Quinn.
Holloway.	Petsch.
Howsley.	Pope.

Ramsey.	Tarwater.
Ratliff.	Terrell
Ray.	of Val Verde.
Reader.	Wagstaff.
Rountree.	Walker.
Savage.	Warwick.
Shelton.	West of Coryell.
Sherrill.	West of Cameron.
Steward.	Westbrook.

Absent.

Brice.	Johnson of Dallam.
Brooks.	Leonard.
Burns	Martin.
of McCulloch.	Mehl.
Cunningham.	Sanders.
Dunlap.	Satterwhite.
Holder.	Wiggs.

Absent—Excused.

Adamson.	Fisher.
Albritton.	Harrison
Bedford.	of El Paso.
Bond.	Herzik.
Bradley.	Kayton.
Caven.	Patterson.
Claunch.	Scott.
Daniel.	Turner.
Engelhard.	Van Zandt.
Ferguson.	

House bill No. 69 was then passed to engrossment.

HOUSE BILL NO. 69 ON THIRD READING.

The Speaker then laid House bill No. 69 before the House, on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—107.

Adams of Harris.	DeWolfe.
Adams of Jasper.	Dodd.
Adkins.	Donnell.
Akin.	Dowell.
Alsup.	Duvall.
Baker.	Dwyer.
Barron.	Elliott.
Bounds.	Farmer.
Boyd.	Farrar.
Brice.	Finn.
Bryant.	Forbes.
Burns of Walker.	Ford.
Burns	Fuchs.
of McCulloch.	Gilbert.
Carpenter.	Giles.
Coltrin.	Goodman.
Coombes.	Graves.
Cox of Lamar.	Grogan.
Cox of Limestone.	Hanson.
Dale.	Hardy.
Davis.	Harman.

Hatchitt.	Olsen.
Hefley.	O'Quinn.
Hill.	Petsch.
Hines.	Ramsey.
Holloway.	Ratliff.
Hoskins.	Ray.
Howsley.	Reader.
Hubbard.	Richardson.
Hughes.	Rogers.
Jackson.	Rountree.
Johnson	Savage.
of Dallam.	Shelton.
Johnson	Sherrill.
of Dimmit.	Smith of Bastrop.
Johnson of Morris.	Smith of Wood.
Jones of Shelby.	Sparkman.
Jones of Atascosa.	Stephens.
Justiss.	Stevenson.
Kennedy.	Steward.
Laird.	Strong.
Lemens.	Sullivant.
Lilley.	Tarwater.
Lockhart.	Terrell
Long.	of Cherokee.
McDougald.	Towery.
McGill.	Vaughan.
McGregor.	Veatch.
Magee.	Wagstaff.
Mathis.	Walker.
Metcalfe.	Warwick.
Moffett.	Weinert.
Moore.	West of Coryell.
Munson.	West of Cameron.
Murphy.	Young.
Nicholson.	

Nays—8.

Anderson.	Keller.
Beck.	Lee.
Greathouse.	McCombs.
Holland.	Morse.

Absent.

Brooks.	Mehl.
Cunningham.	Pope.
Dunlap.	Sanders.
Harrison	Satterwhite.
of Waller.	Terrell
Holder.	of Val Verde.
Lasseter.	Westbrook.
Leonard.	Wiggs.
Martin.	Wyatt.

Absent—Excused.

Adamson.	Fisher.
Albritton.	Harrison
Bedford.	of El Paso.
Bond.	Herzik.
Bradley.	Kayton.
Caven.	Patterson.
Claunch.	Scott.
Daniel.	Turner.
Engelhard.	Van Zandt.
Ferguson.	

MESSAGES FROM THE GOVERNOR.

Mr. Pat Dougherty, secretary to the Governor, appeared at the bar of the House, and being duly announced, presented the following messages from the Governor, which were read to the House, as follows:

Executive Office,

Austin, Texas, September 24, 1931.

To the Members of the Forty-second Legislature:

I herewith hand you Senate bill No. 8, which provides for an appropriation for relief of the almost helpless condition of the Valentine Independent School District, which condition was brought about by an unprecedented calamity in the form of an earthquake which recently occurred in West Texas.

In my judgment, this matter should have your immediate and careful attention to the end that this school district may have relief in its distressed condition.

Respectfully submitted,

R. S. STERLING,
Governor.

H. B. No. —

A BILL

To Be Entitled

"An Act providing relief for the Valentine Independent School District, in order to aid said district in repairing and rehabilitating its school building which was seriously damaged and rendered untenable and unsafe for use for school purposes by the earthquake of Sunday, August 16, 1931, making an appropriation for that purpose, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. By reason of the serious damage done to the school building of the Valentine Independent School District, at Valentine, Jeff Davis county, Texas, by the earthquake which visited that region on Sunday, August 16, 1931, which rendered said school building untenable and unsafe for use; and at the same time seriously damaged and rendered untenable most of the homes of that community made up largely of laboring people; and which earthquake

was preceded by a few months by an unprecedented hailstorm which destroyed the roof of said schoolhouse, along with the roofs of nearly all the houses in said community, said district being thus required to expend fifteen hundred dollars for a new roof for said school building immediately preceding said earthquake; and the construction of said schoolhouse and of said new roof thereof having entirely exhausted the tax and bond limit of said district, there is hereby appropriated for the purpose of repairing and rehabilitating said school building the sum of twenty-five hundred dollars (\$2500) or so much thereof as may be necessary to be paid by the warrants of the Comptroller on sworn accounts as needed as the work progresses.

Sec. 2. The fact of this calamity, unprecedented in Texas, this being the first earthquake to damage a schoolhouse in the history of the State; and the inability of the Valentine Independent School District to restore its school building and make it safe for use on account of the tax limit imposed upon it by law; and the near approach of the opening of the school term, creates an emergency and an imperative public necessity requiring that the constitutional rule that bills shall be read on three several days be suspended and that this act take effect upon its passage, and it is so enacted.

Executive Office,
September 25, 1931.

To the Members of the Forty-second Legislature:

Upon the request of a large majority of the members of the House, I herewith hand you a proposed measure which would provide that the Texas Prison Board be permitted by law to bid upon and contract for printing, binding, and supplies of like character on State contracts.

I respectfully ask your prompt and careful consideration of this measure.

Respectfully submitted,
R. S. STERLING,
Governor.

Executive Office,
September 24, 1931.

To the Members of the Forty-second Legislature:

It having been made known to me

that a conflict exists in several instances relating to the time for holding courts in some of the judicial districts in this State, and in other instances the terms are so arranged as to make it quite inconvenient, therefore, I am hereby submitting to you this subject, to the end that the time for holding courts may be changed where it is necessary to cure any errors or conflicts heretofore existing.

Respectfully submitted,
R. S. STERLING,
Governor.

BILL SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and its caption had been read, the following enrolled bill:

S. B. No. 16, "An Act to amend Article 1645, Title 34, of the Revised Civil Statutes of the State of Texas of 1925, as amended by Chapter 35, General and Special Laws passed at the First Called Session of the Fortieth Legislature, as amended by Chapter 28, General and Special Laws passed at the First Called Session of the Forty-first Legislature, relating to the appointment and compensation of county auditors in counties containing a population of thirty-five thousand inhabitants, or over, according to the preceding Federal census, or having a tax valuation of fifteen million dollars, according to the last approved tax roll, and providing for additional compensation for the county auditors in such counties having more than 200,000 population and not more than 300,000 population according to the last Federal census where there is a city and county hospital to care for city and county patients, and where a financial record for such hospital must be kept and reports made to the city and county; providing, that if any portion of this act be declared unconstitutional or invalid, the remainder shall not be affected thereby, and declaring an emergency."

HOUSE BILL NO. 63 ON SECOND READING.

Mr. DeWolfe moved that the House rule, which relates to the consideration of bills in their regular order, be suspended to take up and consider,

H. B. No. 63, A bill to be entitled "An Act amending Senate bill No.

259, Chapter 286, Acts of the Regular Session of the Forty-second Legislature, the same being an act making appropriation for the support and maintenance of the State government for the two-year period beginning September 1, 1931, and ending August 31, 1933; and for other purposes; and prescribing certain regulations and restrictions in respect thereto, and declaring an emergency."

The motion prevailed.

The Speaker laid the bill before the House, and it was read second time.

Mr. Graves offered the following amendments to the bill:

(1)

Amend House bill No. 63, page 26, line 11, by striking out the figures "\$2750, \$2750" and substitute therefor the following: "\$2475, \$2475."

(2)

Amend House bill No. 63, page 37, line 46, by striking out the figures "\$2160, \$2160" and substitute therefor the following: "\$2400, \$2400."

(3)

Amend House bill No. 63, page 67, line 2, by striking out of said line the figures "\$3600" and substitute therefor the figures "\$3240."

(4)

Amend House bill No. 63, page 64, line 21, by striking out the figures "\$5400, \$5400" and substitute therefor the following: "\$4860, \$4860."

(5)

Amend House bill No. 63, line 17, by striking out the figures "\$1620, \$1620" and substitute therefor the following: "\$1600, \$1600."

(6)

Amend House bill No. 63, page 72, line 28, by striking out the figures "\$4320, \$4320" and substitute therefor the following: "\$4800, \$4800."

GRAVES,
METCALFE,
LAIRD.

The amendments were severally adopted.

Mr. Burns of Walker offered the following amendment to the bill:

Amend House bill No. 63, page 61,

by striking out the following item, to-wit: "Contingent for salaries (1932) \$1800, (1933) \$1800."

RECESS.

On motion of Mr. McGill, the House, at 12 o'clock m., took recess to 2 o'clock p. m., today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m., and was called to order by the Speaker.

COMMUNICATION FROM THE HON. J. C. ALBRITTON.

The Speaker laid before the House, and had read the following communication:

Yorktown, Texas,
September 22, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives, and Members of the Forty-second Legislature, Austin, Texas.

Congratulations for passage of the cotton acreage reduction measure, the most far-reaching act in many sessions.

Yours very truly,
J. C. ALBRITTON.

EXPRESSING APPRECIATION TO MEMBERS OF THE HOUSE.

The Speaker laid before the House, and had read the following communication:

Denison, Texas,
September 23, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives, and Members of the House of Representatives, Austin, Texas.

Please accept my heartfelt thanks and complete appreciation for the beautiful wreath sent for my beloved brother's funeral. I will always hold in fond remembrance each and every one of you. With kindest personal regards to all, I am,

Yours truly,
J. W. ADAMSON.

RELATIVE TO HOUSE BILL NO. 62.

On motion of Mr. Howsley, the caption of House bill No. 62 was ordered amended to conform to certain changes made in the body of the bill.

**RELATIVE TO FUNERAL OF
MR. WILLIAM HOLDER.**

Mr. Sanders asked unanimous consent that the House at 3:45 o'clock p. m., stand at ease until 4:45 o'clock p. m., today, for the purpose of attending the funeral of Mr. William Holder, father of the Hon. Ray Holder.

There was no objection offered.

BILL ORDERED NOT PRINTED.

On motion of Mr. Harman, Senate bill No. 11 was ordered not printed.

**SENATE BILL NO. 13 ON PAS-
SAGE TO THIRD READING.**

The Speaker laid before the House, as postponed business, on its passage to third reading,

S. B. No. 13, A bill to be entitled "An Act to amend Article 7332, Chapter 10, Title 122, of the Revised Civil Statutes of Texas, 1925, as amended by the act of the Forty-first Legislature passed at its Regular Session, and found in the published laws of said session, Chapter 143, pages 307-8, and as amended by the Acts of the Fourth Called Session of the Forty-first Legislature, as the same appear in the published laws of said session, Chapter 20, page 37, and as amended by the Forty-second Legislature at its Regular Session as same appears in the published laws of said session, Chapter 258, page 428, and providing that the officers herein named shall not be entitled to the fees provided for herein in delinquent tax suits until actual notice is given to the delinquent owner as provided for in Article 7324; to repeal all laws in conflict herewith, and declaring an emergency."

The bill having heretofore been read second time.

Mrs. Hughes offered the following (committee) amendments to the bill:

(1)

Amend Senate bill No. 13, page 2, lines 7 and 8, by striking out the words "actual notice has been given to the owner for the time and in the manner provided for in Article 7324," and inserting in lieu thereof: "notice has been given as provided by law."

(2)

Amend Senate bill No. 13, Section 1,

line 3, of said section by striking out the words "Forty-second" and inserting in lieu thereof, "Forty-first."

The amendments were severally adopted.

(Mr. McGill in the chair.)

Mr. Savage offered the following (committee) amendment to the bill:

Amend Senate bill No. 13, page 2, by striking out the words and figure "Two dollars (\$2)" in the sentence relating to the fee of the district clerk and inserting in lieu thereof the words and figure "One dollar (\$1)."

Mr. Burns of McCulloch moved the previous question on the pending amendments and the bill, and the main question was ordered.

Question recurring on committee amendment by Mr. Savage, it was adopted.

Mr. Jones of Atascosa offered the following amendment to the bill:

Amend committee amendment to Senate bill No. 13 on page 2 of the mimeographed bill, lines 24 and 25, and by inserting in lieu thereof the following: "The district clerk shall receive such fees as are now allowed by law for such service in other civil suits."

The amendment was lost.

Mr. Jones of Atascosa offered the following amendment to the bill:

Amend Senate bill No. 13, on page 2 of the mimeographed bill, in line 17, by striking out all after the word "receive" in said line down to the word "in" and insert in lieu thereof the following: "Such fees as are now allowed by law in other civil suits."

The amendment was lost.

Mr. West of Cameron offered the following amendment to the bill:

Amend Senate bill No. 13, by adding at the end of Section 1 another section to be known as Section 1a, which shall read as follows:

"The county attorney or the district attorney shall not be entitled to any fees where the commissioners court has entered into contract with others for the collection of delinquent taxes, and no attorney fees shall be taxed in suits brought under contract made by the commissioners court."

The amendment was adopted.

Senate bill No. 13 was then passed to third reading.

SENATE BILL NO. 13 ON THIRD
READING.

Mr. Vaughan moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 13 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—101.

Mr. Speaker.	Johnson
Adams of Jasper.	of Dimmit.
Adkins.	Johnson of Morris.
Alsup.	Jones of Shelby.
Anderson.	Justiss.
Baker.	Kennedy.
Barron.	Laird.
Bond.	Lasseter.
Bounds.	Lee.
Boyd.	Lemens.
Brice.	Lilley.
Brooks.	Lockhart.
Bryant.	Long.
Burns of Walker.	McDougald.
Carpenter.	McGill.
Coltrin.	Magee.
Cox of Lamar.	Moffett.
Cox of Limestone.	Moore.
Dale.	Munson.
Davis.	Murphy.
DeWolfe.	Nicholson.
Dodd.	Olsen.
Donnell.	O'Quinn.
Dowell.	Ratliff.
Farmer.	Ray.
Farrar.	Reader.
Finn.	Rogers.
Forbes.	Rountree.
Ford.	Sanders.
Fuchs.	Savage.
Gilbert.	Shelton.
Goodman.	Sherrill.
Graves.	Smith of Bastrop.
Greathouse.	Smith of Wood.
Grogan.	Sparkman.
Hanson.	Stephens.
Hardy.	Stevenson.
Harman.	Steward.
Harrison	Strong.
of Waller.	Sullivant.
Hatchitt.	Terrell
Hefley.	of Cherokee.
Hill.	Towery.
Hines.	Vaughan.
Holland.	Veatch.
Holloway.	Wagstaff.
Hoskins.	Walker.
Howsley.	Warwick.
Hughes.	Weinert.
Jackson.	West of Coryell.
Johnson	West of Cameron.
of Dallam.	Westbrook.
	Young.

Nays—1.

Keller.

Present—Not Voting.

Akin.

Absent.

Beck.	Martin.
Burns	Mehl.
of McCulloch.	Metcalfe.
Coombes.	Morse.
Cunningham.	Petsch.
Dunlap.	Pope.
Dwyer.	Ramsey.
Elliott.	Richardson.
Giles.	Satterwhite.
Holder.	Tarwater.
Hubbard.	Terrell
Jones of Atascosa.	of Val Verde.
Leonard.	Wiggs.
McCombs.	Wyatt.
McGregor.	

Absent—Excused.

Adams of Harris.	Fisher.
Adamson.	Harrison
Albritton.	of El Paso.
Bedford.	Herzik.
Bradley.	Kayton.
Caven.	Mathis.
Claunch.	Patterson.
Daniel.	Scott.
Duvall.	Turner.
Engelhard.	Van Zandt.
Ferguson.	

The Speaker then laid Senate bill No. 13 before the House on its third reading and final passage.

The bill was read third time.

Mr. Jones of Atascosa offered the following amendment to the bill:

Amend Senate bill No. 13, by striking out all below the enacting clause, and substitute in lieu thereof the following:

"Section 1. That Senate bill No. 467, Chapter 258, of the published laws of the Forty-second Legislature, consisting of three paragraphs, appearing on page 428 of the General Laws passed at the Regular Session of the Forty-second Legislature during the year 1931, pertaining to delinquent taxes, be, and the same is in all things, repealed."

And amend Senate bill No. 13, by striking out all above the enacting clause, and by substituting in lieu thereof the following.

S. B. No. 13, A bill to be entitled "An Act repealing Senate bill No. 467, Chapter 258, of the published laws of the Forty-second Legislature,

pertaining to delinquent taxes, as the same appears on page 428 of the General Laws of the Regular Session of the Forty-second Legislature for the year 1931, and declaring an emergency."

JONES of Atascosa,
JOHNSON of Dimmit.

Mr. Farrar raised a point of order on further consideration of the amendment on the ground that the amendment is not germane to the bill.

The Speaker overruled the point of order.

Question recurring on the amendment, it was lost.

Senate bill No. 13 was then passed by the following vote:

Yeas—85.

Mr. Speaker.	Johnson
Adams of Jasper.	of Dimmit.
Adkins.	Johnson of Morris.
Barron.	Jones of Shelby.
Beck.	Justiss.
Bounds.	Laird.
Brice.	Lasseter.
Brooks.	Lee.
Bryant.	Lemens.
Burns	Lilley.
of McCulloch.	Lockhart.
Coltrin.	McDougald.
Cox of Lamar.	McGregor.
Cox of Limestone.	Magee.
Davis.	Mathis.
DeWolfe.	Metcalfe.
Dodd.	Moffett.
Donnell.	Moore.
Dowell.	Murphy.
Duvall.	Olsen.
Elliott.	O'Quinn.
Farmer.	Richardson.
Farrar.	Rogers.
Finn.	Satterwhite.
Forbes.	Savage.
Ford.	Sherrill.
Fuchs.	Smith of Bastrop.
Giles.	Smith of Wood.
Graves.	Sparkman.
Greathouse.	Stephens.
Grogan.	Stevenson.
Hanson.	Strong.
Hardy.	Tarwater.
Harrison	Terrell
of Waller.	of Cherokee.
Hatchitt.	Terrell
Hefley.	of Val Verde.
Hill.	Towery.
Hines.	Vaughan.
Holland.	Veatch.
Holloway.	Wagstaff.
Hoskins.	Weinert.
Howsley.	West of Coryell.
Hughes.	Westbrook.
Jackson.	Wiggs.
Johnson of Dallam.	

Nays—17.

Anderson.	Munson.
Baker.	Ratliff.
Burns of Walker.	Ray.
Cunningham.	Sanders.
Dale.	Shelton.
Jones of Atascosa.	Steward.
Keller.	Walker.
Long.	Warwick.
Morse.	

Present—Not Voting.

Goodman.	Kennedy.
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Absent.

Akin.	McGill.
Alsup.	Martin.
Boyd.	Mehl.
Carpenter.	Nicholson.
Coombes.	Petsch.
Dunlap.	Pope.
Dwyer.	Ramsey.
Gilbert.	Reader.
Harman.	Rountree.
Holder.	Sullivant.
Hubbard.	West of Cameron.
Leonard.	Wyatt.
McCombs.	Young.

Absent—Excused.

Adams of Harris.	Ferguson.
Adamson.	Fisher.
Albritton.	Harrison
Bedford.	of El Paso.
Bond.	Herzik.
Bradley.	Kayton.
Caven.	Patterson.
Claunch.	Scott.
Daniel.	Turner.
Engelhard.	Van Zandt.

HOUSE BILL NO. 63 ON PASSAGE TO ENGROSSMENT.

The House resumed consideration of pending business, same being House bill No. 63, relative to making an appropriation for the support of the various departments of the State government, the bill having heretofore been read second time, with amendment by Mr. Burns of Walker, pending.

Mr. Keller moved the previous question on the pending amendment and the bill, and the main question was ordered.

(Speaker in the chair.)

Question recurring on the amendment, it was lost.

House bill No. 63 was then passed to engrossment.

HOUSE BILL NO. 63 ON THIRD READING.

Mr. Howsley moved that the constitutional rule requiring bills to be read on three several days be suspended, and that House bill No. 63 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—98.

Mr. Speaker.	Johnson
Adams of Harris.	of Dimmit.
Adams of Jasper.	Johnson of Morris.
Adkins.	Jones of Shelby.
Akin.	Jones of Atascosa.
Alsup.	Justiss.
Baker.	Kennedy.
Bond.	Laird.
Bounds.	Lasseter.
Brice.	Lee.
Bryant.	Lemens.
Burns	Leonard.
of McCulloch.	Lilley.
Carpenter.	Lockhart.
Coltrin.	McGill.
Cox of Lamar.	Magee.
Cox of Limestone.	Mathis.
Dale.	Metcalfe.
Davis.	Moffett.
DeWolfe.	Munson.
Dodd.	Nicholson.
Donnell.	Olsen.
Dowell.	O'Quinn.
Elliott.	Petsch.
Farrar.	Ratliff.
Finn.	Ray.
Forbes.	Richardson.
Fuchs.	Rogers.
Gilbert.	Rountree.
Giles.	Satterwhite.
Goodman.	Savage.
Graves.	Shelton.
Greathouse.	Sherrill.
Grogan.	Smith of Bastrop.
Hanson.	Smith of Wood.
Hardy.	Sparkman.
Harman.	Stephens.
Harrison	Strong.
of Waller.	Sullivant.
Hatchitt.	Tarwater.
Hefley.	Terrell
Hill.	of Cherokee.
Hines.	Towery.
Holland.	Vaughan.
Holloway.	Veatch.
Hoskins.	Wagstaff.
Howsley.	Walker.
Hubbard.	Weinert.
Hughes.	West of Coryell.
Jackson.	West of Cameron.
Johnson	Wiggs.
of Dallam.	Young.

Nays—12.

Anderson.	Morse.
Beck.	Reader.
Boyd.	Steward.
Burns of Walker.	Terrell
Farmer.	of Val Verde.
Keller.	Warwick.
Long.	

Absent.

Barron.	Martin.
Brooks.	Mehl.
Coombes.	Moore.
Cunningham.	Murphy.
Dunlap.	Pope.
Dwyer.	Ramsey.
Ford.	Sanders.
Holder.	Stevenson.
McCombs.	Westbrook.
McDougald.	Wyatt.
McGregor.	

Absent—Excused.

Adamson.	Fisher.
Albritton.	Harrison
Bedford.	of El Paso.
Bradley.	Herzik.
Caven.	Kayton.
Claunch.	Patterson.
Daniel.	Scott.
Duvall.	Turner.
Engelhard.	Van Zandt.
Ferguson.	

The Speaker then laid House bill No. 63 before the House on its third reading and final passage.

The bill was read third time, and was passed.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, September 24, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 9, A bill to be entitled "An Act amending Chapter 367, Section 4, of the General Laws of the Regular Session of the Forty-second Legislature of Texas, by changing the time for holding district court in the counties of McCulloch, Brown, and Coleman, and declaring an emergency," with amendments.

Respectfully,
BOB BARKER,
Secretary of the Senate.

**BILLS SIGNED BY THE
SPEAKER.**

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

S. B. No. 15, "An Act to amend Senate bill No. 114, Chapter 68, of the laws of the State of Texas, as passed by the Forty-second Legislature at its Regular Session in 1931, which act defines and regulates public cotton classers, by a more complete definition of a public cotton classer, repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

S. B. No. 26, "An Act to provide for payment of the salary of the ex-officio superintendent of public instruction in all counties having not less than 8400 and not more than 8600 population, according to the last preceding Federal census, from the county available school fund; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

**MESSAGES FROM THE
GOVERNOR.**

Mr. Pat Dougherty, secretary to the Governor, appeared at the bar of the House, and being duly announced, presented the following messages from the Governor, which were read to the House, as follows:

Executive Office,
September 24, 1931.

To the Members of the Forty-second Legislature:

Upon the request of several members of the House, I herewith submit for your consideration the amendment of Section 3 of Chapter 20, of the General Laws of the Forty-first Legislature, Fourth Called Session, and/or as amended.

Respectfully submitted,
R. S. STERLING,
Governor.

Executive Office,
September 24, 1931.

To the Members of the Forty-second Legislature:

I hereby submit to you the following subjects for consideration:

1. The amendment of Section 7, Chapter 163, of the General Laws of

the State of Texas, passed at the Regular Session of the Forty-second Legislature.

2. The amendment of Article 15 of the Revised Civil Statutes of 1925.

Respectfully submitted,

R. S. STERLING,
Governor.

H. B. No. —

A BILL

To Be Entitled

"An Act amending Article 15 of the Revised Civil Statutes of 1925."

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 15 of the Revised Civil Statutes of 1925 be amended so as to hereafter read as follows:

"Article 15. No judge or justice of the peace shall sit in any case wherein he may be interested or where either of the parties may be connected with him by affinity or consanguinity within the third degree, or where any attorney representing either party shall be related to him within the first degree, or where he shall have been counsel in the case."

Sec. 2. The fact that there is a grave doubt in the minds of the legal fraternity of this State as to what constitutes disqualifications of a judge, and the further fact that it is the wish of the people of this State that a fair and impartial trial be had in each and every case in our courts creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and said rule is hereby suspended, and this act shall take effect and be in force from and after its passage, and it is so enacted.

Executive Offices,

Austin, Texas, September 24, 1931.

To the members of the Forty-second Legislature:

I hereby submit for your consideration the following subjects:

1. The amendment of Article 773 of the Revised Penal Code of Texas, 1925.
2. The amendment of Article 7332, Chapter 10, Title 122, of the Revised Civil Statutes of Texas, 1925, as amended.

Respectfully submitted,

R. S. STERLING,
Governor.

H. B. No. —.

A BILL

To Be Entitled

"An Act to amend Article 773, Revised Penal Code of 1925 of the State of Texas, so as to make the provisions of said bill apply to optometrists and to re-enact Article 774 of the Revised Penal Code of 1925, of the State of Texas, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 773 of the Revised Penal Code of 1925, of the State of Texas, be and is hereby amended so as to read as follows:

"Article 773. Soliciting Patients.—No physician, surgeon, osteopath, masseur, optometrist, or any other person who practices medicine or the art of healing the sick or afflicted, with or without the use of medicine, shall employ or agree to employ, pay or promise to pay, or reward or promise to reward any person, firm, association of persons, partnership, or corporation for securing, soliciting, or drumming patients or patronage. No person shall accept or agree to accept any payment, fee, or reward, or anything of value, for securing, soliciting, or drumming for patients or patronage for any physician, surgeon, osteopath, masseur, optometrist, or any other person who practices medicine or the art of healing with or without medicine. Whoever violates any provision of this article shall be fined not less than one hundred nor more than two hundred dollars for each offense. Each payment or reward or fee or agreement to pay or accept a reward or fee shall be a separate offense."

Sec. 2. That Article 774 of the Revised Penal Code of 1925, of the State of Texas, is hereby re-enacted to read as follows:

"Article 774. Advertising.—The preceding article shall not be construed to prohibit the inserting in a newspaper of an advertisement of a person's business, profession, and place of business, or from advertising by handbills and paying for services in distributing same."

Sec. 3. The fact that the other professions along the same line as that of the optometrist have had the

benefit of this bill since 1911, and it is to the interest of the citizens of the State of Texas that the optometrist be put on the same plane, creates an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and said rule is hereby suspended, and that this act shall take effect and be in force from and after its passage, and it is so enacted.

H. B. No. —

A BILL

To Be Entitled

"An Act to amend Article 619, Penal Code of 1925, relating to keeping a gaming table or bank so as to omit reference therein to slot machines, and making it a misdemeanor to keep or exhibit any slot or vending machine for the purpose of gaming, and defining the same; prescribing penalties for a violation thereof; declaring the existence of any slot or vending machine to be against public policy and a public nuisance; declaring the existence of any lottery or raffle to be against public policy and a public nuisance; providing for the seizure and destruction as a nuisance of any slot or vending machine, or any lottery or raffle, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 619 of the Penal Code of Texas, 1925, be amended so that the same shall hereafter read as follows:

"Article 619. If any person shall, directly or as agent or employe for another, or through any agent or agents, keep or exhibit for the purpose of gaming, any policy game, any gaming table, bank, wheel or device of any name or description whatever, or any table, bank, wheel or device for the purpose of gaming which has no name, or any pigeon hole table, any jenny-lind table, or tables of any kind whatsoever, regardless of the name or whether named or not, he shall be confined in the penitentiary not less than two nor more than four years, regardless of whether any of the above mentioned games, tables, banks, wheels or devices are licensed by law or not. Any such table, bank, wheel, machine or device shall be con-

sidered as used for gaming, if money or anything of value is bet thereon."

Sec. 2. If any person shall directly, or as agent or employe for another, or through any agent or agents, keep or exhibit for the purpose of gaming any slot machine or vending machine, or any device of like kind or character by whatever name the same may be known or called, he shall be confined in the county jail for not less than thirty (30) days nor more than six (6) months, and shall be fined not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500), regardless of whether any such slot machine or vending machine is licensed by law or not. Any such slot machine or vending machine or other device shall be considered as used for gaming if money or anything of value is bet thereon.

Sec. 3. The provisions of this act are intended to apply to that numerous class of devices and contrivances where, upon deposit of a coin or other object, there may be obtained more in value than the coin or object deposited, dependent upon chance. It is further intended to apply to all such machines from which may be obtained prizes which are unequal in value or in numbers, regardless of the value of same, and likewise to machines delivering varying numbers of checks, slugs or other objects of like kind or character, regardless of their value. The enumerations herein made shall not be construed to except from the provisions of this act any machine or device which is kept or exhibited in violation of the provisions of Section 2 hereof.

Sec. 4. The existence of any slot machine or vending machine as herein described and defined, and all property and paraphernalia used in connection therewith, is hereby declared to be against public policy and a public nuisance.

Sec. 5. The existence of any lottery or raffle, including punch boards which is or may be used to dispose of any estate, real or personal, regardless of its value, and all property and paraphernalia used in connection therewith, is hereby declared to be against public policy and a public nuisance.

Sec. 6. Any such slot machine or vending machine, or any such lottery

or raffle and any property or paraphernalia used in connection with them, shall be seized and destroyed in the manner provided by Chapter 6 of Title 11, Penal Code of 1925.

Sec. 7. The fact that slot machines and vending machines and punch boards and other gaming devices of like kind and character are being kept and exhibited and maintained at many places in this State; and the fact that in many instances such devices are so kept and exhibited at and near the public schools of this State, and are played by the school children of this State; and the further fact that there is some confusion concerning the distinction between machines which are operated in violation of law and machines which are vending machines, create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and said rule is hereby suspended, and this act shall take effect and be in force from and after its passage, and it is so enacted.

REQUESTING RETURN OF SENATE BILL NO. 8.

Mr. Satterwhite offered the following resolution:

Whereas, Senate bill No. 8, providing an appropriation of twenty-five hundred dollars (\$2500) for repairing the Valentine public schoolhouse because of damage sustained from a recent earthquake shock, was on yesterday refused consideration in the House for the reason that it did not come within the Governor's call, and

Whereas, The Governor on this date submitted said bill for consideration, therefore, be it

Resolved by the House of Representatives, That the Senate be requested to return Senate bill No. 8 to the House for further consideration.

The resolution was read second time, and was adopted.

HOUSE BILL NO. 9 WITH SENATE AMENDMENTS.

Mr. Davis called up from the Speaker's table with Senate amendments, for consideration of the amendments,

H. B. No. 9, A bill to be entitled

"An Act amending Chapter 367, Section 4, of the General Laws of the Regular Session of the Forty-second Legislature of Texas, by changing the time for holding district court in the counties of McCulloch, Brown, and Coleman, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Howsley, the House concurred in the Senate amendments.

HOUSE BILL NO. 65 ON SECOND READING.

(By Unanimous Consent.)

On motion of Mr. Howsley, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 65, A bill to be entitled "An Act amending House bill No. 508, Chapter 284, Acts of the Regular Session of the Forty-second Legislature, by readjusting and reducing appropriations with relation to the payment of salaries of officers and employes of certain educational institutions and other expenses of maintaining and conducting them, etc., and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Morse moved the previous question on the engrossment of the bill, and the main question was ordered.

House bill No. 65 was then passed to engrossment.

HOUSE BILL NO. 65 ON THIRD READING.

Mr. Howsley moved that the constitutional rule requiring bills to be read on three several days be suspended, and that House bill No. 65 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—95.

Adams of Harris.	Bond.
Adams of Jasper.	Bounds.
Adkins.	Brice.
Akin.	Bryant.
Alsup.	Burns
Baker.	of McCulloch.
Barron.	Carpenter.

Cox of Lamar.	Laird.
Cox of Limestone.	Lee.
Dale.	Lemens.
Davis.	Leonard.
DeWolfe.	Lilley.
Dodd.	Lockhart.
Donnell.	McGill.
Dowell.	Magee.
Elliott.	Mathis.
Farrar.	Metcalfe.
Finn.	Moffett.
Forbes.	Munson.
Fuchs.	Murphy.
Gilbert.	Nicholson.
Giles.	Olsen.
Goodman.	O'Quinn.
Graves.	Petsch.
Greathouse.	Ratliff.
Grogan.	Ray.
Hanson.	Reader.
Hardy.	Richardson.
Harman.	Rogers.
Harrison	Rountree.
of Waller.	Savage.
Hatchitt.	Shelton.
Hefley.	Sherrill.
Hill.	Smith of Bastrop.
Hines.	Smith of Wood.
Holland.	Sparkman.
Holloway.	Stephens.
Hoskins.	Strong.
Howsley.	Sullivant.
Hubbard.	Tarwater.
Hughes.	Terrell of Cherokee.
Jackson.	Towery.
Johnson	Vaughan.
of Dallam.	Veatch.
Johnson	Wagstaff.
of Dimmit.	Walker.
Johnson of Morris.	Weinert.
Jones of Shelby.	West of Coryell.
Jones of Atascosa.	Wiggs.
Justiss.	Young.

Nays—13.

Anderson.	Moore.
Beck.	Morse.
Boyd.	Stevenson.
Burns of Walker.	Steward.
Farmer.	Terrell
Keller.	of Val Verde.
Long.	Warwick.

Absent.

Brooks.	McDougald.
Coltrin.	McGregor.
Coombes.	Martin.
Cunningham.	Mehl.
Dunlap.	Pope.
Dwyer.	Ramsey.
Ford.	Sanders.
Holder.	Satterwhite.
Kennedy.	West of Cameron.
Lasseter.	Westbrook.
McCombs.	Wyatt.

Absent—Excused.

Adamson.	Fisher.
Albritton.	Harrison
Bedford.	of El Paso.
Bradley.	Herzik.
Caven.	Kayton.
Claunch.	Patterson.
Daniel.	Scott.
Duvall.	Turner.
Engelhard.	Van Zandt.
Ferguson.	

The Speaker then laid House bill No. 65 before the House on its third reading and final passage.

The bill was read third time.

By unanimous consent of the House the caption of the bill was ordered amended to conform to the body of the bill.

House bill No. 65 was then passed by the following vote:

Yeas—88.

Adams of Harris.	Hines.
Adams of Jasper.	Holloway.
Adkins.	Hoskins.
Akin.	Howsley.
Alsup.	Hubbard.
Baker.	Jackson.
Barron.	Johnson
Bond.	of Dallam.
Bounds.	Johnson
Brice.	of Dimmit.
Bryant.	Johnson of Morris.
Burns	Jones of Shelby.
of McCulloch.	Jones of Atascosa.
Carpenter.	Justiss.
Cox of Lamar.	Kennedy.
Cox of Limestone.	Laird.
Cunningham.	Lee.
Dale.	Lemens.
Davis.	Leonard.
DeWolfe.	Lilley.
Dodd.	Lockhart.
Donnell.	McGill.
Dowell.	Magee.
Elliott.	Metcalf.
Farrar.	Moffett.
Finn.	Munson.
Forbes.	Nicholson.
Fuchs.	Olsen.
Gilbert.	O'Quinn.
Giles.	Petsch.
Goodman.	Ramsey.
Graves.	Ratliff.
Grogan.	Ray.
Hanson.	Richardson.
Hardy.	Rogers.
Harman.	Savage.
Harrison	Shelton.
of Waller.	Sherrill.
Hatchitt.	Smith of Bastrop.
Hefley.	Smith of Wood.
Hill.	Sparkman.

Stephens.	Veatch.
Sullivant.	Walker.
Tarwater.	Weinert.
Terrell	West of Coryell.
of Cherokee.	Wiggs.
Towery.	Young.
Vaughan.	

Nays—19.

Beck.	Mathis.
Boyd.	Moore.
Burns of Walker.	Morse.
Dunlap.	Reader.
Farmer.	Stevenson.
Greathouse.	Steward.
Holland.	Terrell
Hughes.	of Val Verde.
Keller.	Wagstaff.
Long.	Warwick.

Absent.

Anderson.	Martin.
Brooks.	Mehl.
Coltrin.	Murphy.
Coombes.	Pope.
Dwyer.	Rountree.
Ford.	Sanders.
Holder.	Satterwhite.
Lasseter.	Strong.
McCombs.	West of Cameron.
McDougald.	Westbrook.
McGregor.	Wyatt.

Absent—Excused.

Adamson.	Fisher.
Albritton.	Harrison
Bedford.	of El Paso.
Bradley.	Herzik.
Caven.	Kayton.
Claunch.	Patterson.
Daniel.	Scott.
Duvall.	Turner.
Engelhard.	Van Zandt.
Ferguson.	

Reasons for Vote.

Yesterday, I voted "nay" on House bill No. 61, for the reason the bill contained two subjects, namely:

The reduction of the salaries of our judges and the appropriation of money to pay witness fees, sheriffs' fees, and other matters. I refused to lower the dignity of the judges of our courts by forcing them to live on a salary incommensurate with the work that they perform. Our judges are not retired when they reach old age upon a fund sufficient to keep them as the Federal judges. They are forced to make the race every six years. The courts are the palladium of this nation's safety in seeing that the liberty and property

rights remain secure under the Constitution.

Our judges should be well paid that they may be independent and free in mind to render their best services in passing upon the many cases that come before them. The corporate wealth of this State is not paying its proportionate share of taxes and they are using the courts more than anyone else. It was the duty of the Legislature to get additional revenue to properly pay the servants of our government.

I also voted "nay" to the reduction of salaries of those set forth in the departmental bill and the educational bill for the reason that I think that the servants of this State should be paid a living wage. These bills were particularly designed providing for a 10 per cent cut all along the line. I would have voted for a 10 per cent cut in some of the high-salaried positions, but I refuse to vote for a 10 per cent reduction of those drawing \$1800 to \$2500, who must live here in Austin and serve the State where living expenses have not decreased. Many employes of the State here in Austin have a family and are seeking to pay out a home. Their taxes have been raised and it is a struggle with them to live. It is unfair to reduce salaries of our faithful servants at this time when there is an abundance of revenue to be obtained in this State from sources that are not paying their just proportion of the burden of the government and yet are enjoying the great protection of this government. I mention insurance profits, mortgages of all kinds, and cash in the bank on the first day of January of each year, stocks and bonds, and various other sources of wealth that are not paying. I vigorously opposed the increase in the tax rate. By law, the majority of the Legislature fixed a scheme, aided by martial law, that placed over fifty million dollars profit at one stroke in the profits of the big oil companies and we have obtained no part of that enormous profit.

An income tax would produce the revenue that we need and it would bear equally upon those that are able to pay. The laborer is worthy of his hire and I refuse to further depress the laborer. These bills were not printed for us and we were not allowed time to give proper amendment to protect those that labor, and I have

been forced in order to protect them to vote "nay" on the entire bills as much as I would have gladly voted to reduce traveling expenses and other expenses that could have been safely reduced.

These are a few of my candid reasons for my votes. These bills have been killed in the Senate, but at the demand of some, it is insisted that the House pass them to put all members on record. Here is my record.

FARMER,
Representative from Tarrant county.

NOTICE GIVEN.

Mr. Sanders gave notice that he would on tomorrow move to take up, for consideration at that time, House concurrent resolution No. 12, Providing for adjournment sine die, the resolution having heretofore been laid on the table subject to call.

ADJOURNMENT.

Mr. Hardy moved that the House adjourn until 9 o'clock a. m. tomorrow.

Mr. Adams of Jasper moved that the House recess to 9 o'clock a. m. tomorrow.

The motion of Mr. Hardy prevailed, and the House accordingly, at 3:45 o'clock p. m., adjourned until 9 o'clock a. m. tomorrow.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following committees have filed favorable reports on bills as follows:

Appropriations: House bills Nos. 76 and 74.

Counties: Senate bill No. 11.

Public Lands and Buildings: House concurrent resolution No. 18.

Revenue and Taxation: House bills Nos. 78, 79, and 80.

The Committee on Public Lands and Buildings filed an adverse report on House bill No. 57.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS.

Committee Room,
Austin, Texas, September 23, 1931.
Hon. Fred H. Minor, Speaker of the House of Representatives.
Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 22, A bill to be entitled "An Act amending Article 7065, Revised Statutes of Texas, 1925, as amended by Chapter 88, Section 17, Acts Second Called Session of the Forty-first Legislature, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

JUSTISS, Chairman.

Committee Room,
Austin, Texas, September 24, 1931.
Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 61, A bill to be entitled "An Act amending Senate bill No. 17, Chapter 95, Acts of the Regular Session of the Forty-second Legislature, by readjusting and reducing appropriations with relation to the payment of the salaries of judges, and the support and maintenance of the judicial department of the State government for the two-year period, beginning September 1, 1931, and ending August 31, 1933, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

JUSTISS, Chairman.

Committee Room,
Austin, Texas, September 24, 1931.
Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 62, A bill to be entitled "An Act establishing, promulgating, and fixing the salaries of public officers, deputies, judges, clerks, and employes and assistants in the employ of the State government, and various departments thereof; declaring the policy of the State, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

JUSTISS, Chairman.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS.

Committee Room,
Austin, Texas, September 24, 1931.
Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 47, "An Act ratifying and validating Edcouch-Elsa Independent School District, ratifying and validating the proceedings of the board of county school trustees of Hidalgo county in annexing territory thereto, ratifying and validating the proceedings of the board of school trustees of Hidalgo county in detaching territory therefrom, ratifying and validating the petitions of voters residing in territory annexed and detached, and actions thereon by the board of trustees of Edcouch-Elsa Independent School District, by the board of trustees of Common School District No. 2, Hidalgo county, and also by the board of county school trustees of Hidalgo county annexing territory, being a portion of Common School District No. 2, Hidalgo county, and detaching territory from Edcouch-Elsa Independent School District, defining and describing Edcouch-Elsa Independent School District after such annexation and detachment, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,
Austin, Texas, September 24, 1931.
Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 33, "An Act to amend Article 8225 of Chapter 9, Title 128, of the Revised Civil Statutes of 1925, as amended by Chapter 27 of the Acts of the Forty-first Legislature at its Fourth Called Session thereof, convened on January 20, 1930, so as to provide for the purchase by navigation districts from the State of Texas of any lands and flats belonging to said State covered or partly covered by the waters of the bays or other arms of the sea, authorizing the Commissioner of the General Land Office to sell said lands at a price of one dollar (\$1) per acre, providing application and the issuance of patents and the disposition of the proceeds of said sale; reserving all oil and minerals under such land to the State and providing for the leasing thereof for the exploration of oil and other minerals under certain conditions, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,
Austin, Texas, September 24, 1931.
Hon. Fred H. Minor, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. B. No. 59, "An Act to amend
Article 955, of the Revised Criminal
Statutes of Texas of 1925, as
amended by House bill No. 406, Chap-
ter 257, General and Special Laws
of the Regular Session of the Forty-
first Legislature; and further
amended by House bill No. 179, Chap-
ter 304 of the Regular Session of the
Forty-second Legislature, prohibiting
the sale of fish taken from fresh water
streams of certain named counties
and also providing means and
methods of taking and possessing fish
from fresh waters of said counties
by omitting Anderson county; and
declaring an emergency,"

Have carefully compared same and
find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,
Austin, Texas, September 24, 1931.
Hon. Fred H. Minor, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. B. No. 49, "An Act to amend
Article 3887 of the Revised Civil
Statutes of 1925 as amended by the
Acts of the Forty-first Legislature,
Regular Session, Chapter 112, page
256, as further amended by the Acts
of the Forty-second Legislature,
Regular Session, Chapter 123, page
235 of the Special Laws of said
Forty-second Legislature; providing
that said article as so amended shall
also apply to any county having a
population of seventy-five thousand
(75,000) inhabitants or more, accord-
ing to the last preceding Federal cen-
sus and each succeeding Federal cen-
sus thereafter, which has voted road
and bridge bonds amounting to six
million dollars (\$6,000,000) or more

and flood protection bonds mounting
to one million dollars (\$1,000,000)
or more, where there is no district
attorney and having two or more
district courts, and in which the
county attorney acts as district at-
torney, and declaring an emergency,"

Have carefully compared same and
find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,
Austin, Texas, September 24, 1931.
Hon. Fred H. Minor, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. C. R. No. 26, Congratulating Mr.
Harry Bengé Crozier,

Have carefully compared same and
find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,
Austin, Texas, September 24, 1931.
Hon. Fred H. Minor, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. B. No. 12, "An Act to prohibit
the sale or offering for sale or the
buying of any bass, crappie, perch,
or channel or opalopsis cat, or any
other fish taken from the waters of
Lake Waco or the Bosque Rivers and
their tributaries in the counties of
McLennan, Bosque, and Hamilton; to
prohibit the use of any drag seine
or nets and to limit the size and num-
ber to be caught and to prohibit the
use of a troll from a motor boat
or boat propelled by other than
ordinary oars, and to prohibit the
catching of bass, crappie, perch, chan-
nel or opalopsis catfish during the
months of February, March, and
April, of each year, and declaring
an emergency,"

Have carefully compared same and
find it correctly enrolled.

COX of Lamar, Chairman.

In Memory
of
Judge Hayne Nelms

Mr. Murphy offered the following resolution:

Whereas, On the twenty-fifth day of August, 1931, the Almighty in His infinite wisdom called to his eternal reward Judge Hayne Nelms of Groveton; and

Whereas, Judge Nelms served well and faithfully his State in various positions of trust, having been a member of the Twenty-eighth and Twenty-ninth Legislatures; a delegate from the State of Texas to the Southern Parliament at Washington, D. C., by appointment of Governor S. W. T. Lanham; Vice-Chairman of the State Democratic Convention which nominated Governor Campbell, and he declined Governor Campbell's appointment as district attorney and district judge and was president of the East Texas Chamber of Commerce. He stood high in his profession as a lawyer, and his business and professional relations brought him in contact with a large number of the most important interests of Southeast Texas. Judge Nelms was a finished orator and was in much demand for addresses at school and college commencements and on other occasions; and

Whereas, In the passing of Judge Nelms, his family, the community in which he lived, and the State as a whole has suffered a grievous loss; now, therefore, be it

Resolved by the House of Representatives of Texas, That a page in the Journal be set apart for the record of this resolution, and that the Chief Clerk of the House be instructed to send an enrolled copy of this resolution to the bereaved family.

MURPHY,
BURNS of Walker,
SANDERS.

The resolution was read second time, and was adopted by a rising vote.